

Message

From: Tambini, Steve [DRBC] [Steve.Tambini@drbc.gov]
Sent: 4/11/2022 1:47:44 PM
To: Atkinson, Aneca [aneatkinso@pa.gov]; Ashby, Bryan A. (DNREC) [bryan.ashby@state.de.us]; Cappola, Valerie A CIV USARMY CENAD (USA) [Ex. 6 Personal Privacy (PP)]@usace.army.mil; Caprioli, Daniel J CIV USARMY CENAP (USA) [Ex. 6 Personal Privacy (PP)]@usace.army.mil; Chalfant, Brian [bchalfant@pa.gov]; Garvin, Shawn M. (DNREC) [Shawn.Garvin@delaware.gov]; Giblin, Noreen [GOV] [Noreen.Giblin@nj.gov]; Gruber, Henry W CIV USARMY CENAD (USA) [Ex. 6 Personal Privacy (PP)]@usace.army.mil; Holmes, Virgil (DNREC) [Virgil.Holmes@state.de.us]; Hoffman, Jeffrey L. [DEP] [Jeffrey.L.Hoffman@dep.nj.gov]; Kasbar, John F CIV USARMY CENAP (USA) [Ex. 6 Personal Privacy (PP)]@usace.army.mil; kwarren@warrenenvcounsel.com; Klotz, Mark A (DEC) [mark.klotz@dec.ny.gov]; Kosinski, Kenneth A (DEC) [kenneth.kosinski@dec.ny.gov]; Liaghat, Abdolhossain [aliaghat@pa.gov]; Girona, Monique [DEP] [Monique.Girona@dep.nj.gov]; Moses, Michelle [mmoses@pa.gov]; Nielsen, Jeffry [GOV] [Jeffry.Nielsen@nj.gov]; Gardner, Patricia [DEP] [Patricia.Gardner@dep.nj.gov]; Peacock-Jones, Kristina [kpeacockjo@pa.gov]; Brigantti, Ramon LTC USARMY CENAP (USA) [Ex. 6 Personal Privacy (PP)]@usace.army.mil; Reese, Leslie (DNREC) [Leslie.Reese@delaware.gov]; Knapick, Ryan [DEP] [Ryan.Knapick@dep.nj.gov]
CC: Brown, Elizabeth [DRBC] [Elizabeth.Brown@drbc.gov]; Bush, Pam [DRBC] [Pam.Bush@drbc.gov]; Deck, Elba [DRBC] [Elba.Deck@drbc.gov]; Kavanagh, Kristen B. [DRBC] [Kristen.B.Kavanagh@drbc.gov]; Suk, Namsoo [DRBC] [Namsoo.Suk@drbc.gov]
Subject: [URL Verdict: Neutral][Non-DoD Source] Aquatic Life Use Study - DO in the Estuary
Flag: Follow up

DRBC Commissioners,

The [DRBC studies to review aquatic life uses in the Estuary](#) is one of the highest priority projects for the Commission in 2022. We have a deadline based upon Resolutions adopted by the Commission complete a draft analysis of attainability for aquatic life uses by September of 2022. While schedule is challenging, it is our expectation that we will deliver a draft report to you by then.

The recent new article (linked below) shows that the Delaware Riverkeeper Network (DRN) is continuing their campaign to attempt to influence this schedule. As you know, they have petitioned the Commission a few times to abandon the current studies and simply adopt a new DO criterion for the Estuary. Our response has consistently been that we are following the unanimously approved Commission resolutions which include the studies required before we begin rulemaking for a revised designated use and related DO criteria. The billboard on I-95 is a new tactic.

<https://www.njspotlightnews.org/2022/04/delaware-river-critically-endangered-atlantic-sturgeon-dino-overfishing-bycatch-pollution-blasting-bedrock/>

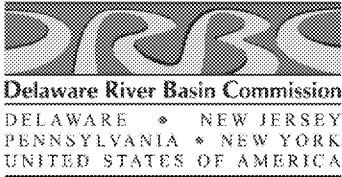
We also recently learned that DRN met with EPA Region 2 and 3 to discuss this issue and “threatened” to petition them directly to attempt to force EPA to revise the water quality standards in the Estuary. Nothing has been filed with EPA; however, DRN is known to be litigious and it could be coming. DRN could also potentially attempt to seek relief from the states during permit renewals or triennial reviews.

The DRBC team is continued to focus on completing the science and the studies and once that is complete, we plan to move into a rulemaking effort, probably starting next calendar year. While DRN continues to complain that this entire effort should have been done sooner, based upon where we are today, the DRBC path seems to be the most expeditious. DRBC also expects continued challenges on this matter from the regulated community since the need to remove ammonia at wastewater treatment plants has a high cost and will impact water systems who have multiple water, wastewater and stormwater improvement needs and affordability issues. In other words, be prepared to hear from both sides.

Steve

Please follow DRBC on Twitter => 

Steven J. Tambini, Executive Director
Delaware River Basin Commission
PO Box 7360
25 Cosey Road
West Trenton, NJ 08628-0360



NOTE: DRBC remains operational, but its West Trenton, NJ office building is closed and staff are working remotely until further notice. Please visit DRBC's web page for more information.

Mobile: 609-314-2029 (Working from Home)

steve.tambini@drbc.gov

www.drbc.gov